GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1517
ANSWERED ON:29.10.2008
REMARKS OF UNHCHR ON J & K
Tripathy Shri Braja Kishore

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the UN High Commissioner for Human Rights (UNHCHR) has recently issued any statement on J&K;

(b) if so, the details of the statement made and the reaction of the Government thereto; and

(c) the steps taken by the Government in this regard;

Answer

THE MINISTER OF EXTERNAL AFFAIRS(SHRI PRANAB MUKHERJEE)

(a)&(b) The Statement by the Office of the High Commissioner for Human Rights is reproduced below:

"The Office of the High Commissioner for Human Rights is concerned about the recent violent protests in Indian-administered Kashmir that have reportedly led to civilian casualties as well as restrictions to the right to freedom of assembly and expression.OHCHR calls on the Indian authorities and in particular security forces to respect the right to freedom of assembly and expression, and comply with international human rights principles in controlling the demonstrators. The use of force should be proportionate to the threat posed and firearms must only be used in dispersing a violent assembly to protect individuals against an imminent threat of death or serious injury. The Acting High Commissioner calls for thorough and independent investigations into all killings that have occurred so far.

OHCHR also calls on the demonstrators to protest using peaceful means only.Leaders of the different protesting groups have a responsibility to ensure that demonstrations are peaceful and that the demonstrators are not carrying sticks,guns or other weapons and refrain from intimidation.Political actors are urged to take all necessary protection measures to avoid exposing people under 18, including young children,to violence and to manipulation for political ends."

The Ministry of External Affairs issued a statement which is reproduced below:

"We regret that the Office of the UN High Commissioner for Human Rights (OHCHR) has issued a statement on the situation in J&K.This is uncalled for and irresponsible; India does not need any advice in respect of the protection and promotion of the human rights of its citizens.OHCHR should be aware that the State of Jammu & Kashmir has been a victim of terrorist violence for almost two decades and all through this period, the authorities have acted within the law and with restraint. Terrorist groups have targeted innocent civilians. They have not refrained from taking women and children as hostages as in the recent incident in Jammu. In all their actions against terrorists, personnel of the security forces have sought to ssensure that no innocent lives are lost and for this objective have on many occasions laid down their lives."

(c) The Permanent Representative of India to the United Nations in New York was asked to convey India's unhappiness on the statement and to ask the United Nations Secretary General to ensure that United Nation's organizations/officials do not make statements/comments on Jammu and Kashmir.